

**BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
MAY 1, 2018  
AGENDA**

**Call to Order  
Pledge of Allegiance  
Roll Call**

1. **Public Hearing on a proposed Local Law to Override the Tax Levy Limit.**
2. **Public Hearing on the Tentative Budget of the Village of Warwick for the fiscal year beginning June 1, 2018.**
3. Introduction by Mayor Newhard.
4. Acceptance of Minutes: April 16, 2018.
5. Authorization to pay all approved and audited bills in the amount of \$ \_\_\_\_\_.

**Correspondence**

1. Letter from Young/Sommer LLC regarding a Notice of Application for Proposed Telecommunications Facility
2. Letter from Pinsky Law Group, PLLC regarding the Warwick Fire District – New Fire Station.
3. Letter from Village Attorney, Stephen Gaba regarding the Warwick Fire District – New Fire Station.
4. Letter from the Orange County Department of Public Works regarding the Howe Street Bridge and Road Closing.
5. Letter from Barbara Demundo, Director, Community Engagement, Bon Secours Charity Health System regarding Warwick Walks.
6. Letter from Orange County Department of Health, Community Health Outreach regarding the Warwick Walks initiative.

**Privilege of the Floor**

(Please limit your comments to **five (5)** minutes. Please note all remarks must be addressed to the Board as a body and not to individual Board members. Please state your name clearly before Speaking). These rules are taken from the Handbook for Village Officials – New York State Conference of Mayors and Municipal Officials.

**Motions:**

**Trustee Cheney's Motions:**

1. **MOTION** to adopt the Budget of the Village of Warwick for the fiscal year beginning June 1, 2018.
2. **MOTION** to adopt the resolution regarding the Special Use Application for the Solar PV Project.

RESOLUTION ADOPTING NEGATIVE DECLARATION UNDER SEQRA  
IN REGARD APPLICATION FOR CONSTRUCTION OF LARGE SCALE ROOF-  
MOUNTED SOLAR ENERGY FACILITY

WHEREAS, the Village of Warwick has received an application from Lotus Energy on behalf of Warwick Valley BBA, LLC seeking a special use permit and site plan approval for installation of a large-scale roof-mounted solar energy system on the property located at 28 Church Street, Warwick, New York; and

WHEREAS, this is an action subject to SEQRA; and

WHEREAS, the Village Board as Lead Agency in a coordinated review has received and reviewed a short Environmental Assessment Form ("EAF") Part I and has caused an EAF Part II to be prepared;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Village Board accepts and adopts the EAF Parts I & II and authorizes the Mayor to sign the same, and
2. That after considering all of the information presented to it, including the EAF, the Village Board adopts the Negative Declaration attached hereto.

\_\_\_\_\_ presented the foregoing resolution which was  
seconded by \_\_\_\_\_,

The vote on the foregoing resolution was as follows:

Barry Cheney, Trustee, voting	_____
William Lindberg, Trustee, voting	_____
George McManus, Trustee, voting	_____
Eileen Patterson, Trustee, voting	_____

Michael Newhard, Mayor, voting \_\_\_\_\_

**STATE ENVIRONMENTAL QUALITY REVIEW**  
**NEGATIVE DECLARATION**  
**NOTICE OF DETERMINATION OF NON-SIGNIFICANCE**

May 1, 2018

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Warwick Village Board as Lead Agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

**Name of Action:** Installation of a large-scale roof-mounted solar energy system on the property located at 28 Church Street, Warwick, New York.

**Action Type:** Unlisted Action

**Conditioned Negative Declaration:** No

**Description of Action:** Warwick Valley BBA, LLC, through its contractor, Lotus Energy, proposes to install a large-scale roof-mounted solar energy system on its existing building located at 28 Church Street, Warwick, New York.

**Contact Person:** Michael Newhard, Mayor, Village of Warwick, 77 Main Street, PO Box 369, Warwick, New York 10990.

**Location:** 28 Church Street, Warwick, New York.

**Reasons Supporting Negative Declaration:**

The solar facilities will not have any visual impacts. Further, there are no audible, aesthetic, odor, traffic, or other adverse environmental impacts which might be reasonably expected to result from the project. Therefore, there are no significant adverse environmental effects associated with the proposed action as per review of the Short Form EAF and Part 2 prepared pursuant to SEQRA.

3. **MOTION** to approve setting an escrow account amount of \$2,000 on the LOTUS special permit application as per the Village's fee schedule for the purpose of reimbursement for costs and consultants fees.
4. **MOTION** to schedule a joint public hearing with the Village Board and the Planning Board on the Special Use Application and Site Plan for the Solar PV Project for Warwick Valley BBA, LLC located at 28 Church Street for Monday, May 21, 2018 at 7:30 p.m.

5. **MOTION** to accept the bid from Surpass Chemical Company for PACL and Sodium Hypochlorite as per the DPW Supervisor's recommendation. The contract will be from June 1, 2018 to May 31, 2019.
6. **MOTION** to accept the bid from Coyne Chemical Company for Endimal as per the DPW Supervisor's recommendation. The contract will be from June 1, 2018 to May 31, 2019.
7. **MOTION** to accept the bid from East Coast Environmental for Totalox as per the DPW Supervisor's recommendation. The contract will be from June 1, 2018 to May 31, 2019.
8. **MOTION** to accept the bid from Main Pool & Chemical Company for Sodium Hydroxide (caustic dry beads), Sodium Hydroxide (liquid caustic 25%), Sodium Bisulfite 38% and Citric Acid 50% as per the DPW Supervisor's recommendation. The contract will be from June 1, 2018 to May 31, 2019.
9. **MOTION** to accept the bid from Slack Chemical Company for Hydrogen Peroxide 35%, Sodium Permanganate 20% and Blended Ortho Phosphate as per the DPW Supervisor's recommendation. The contract will be from June 1, 2018 to May 31, 2019.
10. **MOTION** to accept the refuse bid from County Waste for the contract period of June 1, 2018 to May 31, 2019. Bid opening was held April 17, 2018. Price per 30-yard roll-off box for refuse \$185.00/Haul & \$85.00/Ton. Price per yard roll-off box for metal, no charge, no rebate.
11. **MOTION** to grant permission to the DPW Supervisor to attend 2018 Highway School at Ithaca College from June 4 to June 6, 2018 at a total cost of \$360.00 for registration and hotel.
12. **MOTION** to grant permission to the DPW Supervisor to use the Village vehicle to attend the 2018 Highway School at Ithaca College from June 4 to June 6, 2018.
13. **MOTION** to accept the bid from Gentech LTD in the amount of \$18,389.00 for a generator for the Homestead pump station as per the Village Engineer's recommendation.

**Trustee Patterson's Motions:**

14. **MOTION** to grant permission to the Warwick Merchants Guild to hold their annual Sidewalk Sale on Saturday, July 7, 2018 between the hours of 10 a.m. to 5 p.m. and Sunday, July 8, 2018 from 10 a.m. to 3 p.m. Proof of proper insurance has been received.
15. **MOTION** to grant permission to the Warwick Merchants Guild to use a total of 25 parking spaces on Main Street on Saturday, July 7, 2018 from 10 a.m. to 5 p.m. and Sunday, July 8, 2018 from 10 a.m. to 3 p.m. as per their letter dated April 12, 2018. Proof of proper insurance has been received.
16. **MOTION** to close Railroad Avenue on Saturday, July 7, 2018 from 10 a.m. to 5 p.m. and Sunday, July 8, 2018 from 10 a.m. to 3 p.m. for the benefit of the Warwick Merchants Guild Sidewalk Sale. Proof of proper insurance has been received.

17. **MOTION** to grant permission to the Warwick Merchants Guild to hold their annual Ladies Night Out on Thursday, August 23, 2018 from 3 p.m. to 9 p.m. Proof of proper insurance has been received.
18. **MOTION** to grant permission to the Warwick Merchants Guild to use a total of 25 parking spaces on May Street on Thursday, August 23, 2018 from 3 p.m. to 9 p.m. as per their letter dated April 12, 2018. Proof of proper insurance has been received.
19. **MOTION** to close Railroad Avenue on Thursday, August 23, 2018 from 12 p.m. until 10 p.m. for the benefit of the Warwick Merchants Guild Ladies Night Out. Proof of proper insurance has been received.
20. **MOTION** to grant permission to the Warwick Merchants Guild to use Railroad Green on Thursday, August 23, 2018 from 3 p.m. to 9 p.m. for Ladies Night Out. Completed park permit, security deposit and proof of proper insurance have been received.
21. **MOTION** to approve Warwick Walks, a collaborative initiative of the Village of Warwick, St. Anthony Community Hospital, and the Orange County Department of Health to create a community walking path which includes signage every quarter mile using existing street sign poles or freestanding signage as per the recommendation, including design, from the Village of Warwick Architectural Review Board.

**Trustee Lindberg's Motions:**

22. **MOTION** to grant permission to the Warwick Fire Department to have their annual Coin Toss on June 9<sup>th</sup> and 10<sup>th</sup>, 2018 and September 8<sup>th</sup> and 9<sup>th</sup>, 2018 between the hours of 10 a.m. and 2 p.m. on Oakland Avenue. Proof of proper insurance has been received.
23. **MOTION** to grant permission to Jessica Harrick from Rhythm and Rhyme Childcare to host a Global Bubble Parade on Saturday, May 19, 2018 at 1 p.m. as outlined in her letter dated April 3, 2018. The parade would take place on the sidewalk beginning at Lewis Park and ending at Stanley Deming Park. Ms. Harrick will be responsible to notify the police department. This motion was previously approved on April 16<sup>th</sup> however the agenda had the incorrect date of May 9<sup>th</sup>.

**Trustee McManus' Motions:**

24. **MOTION** to grant permission to the Historical Society of the Town of Warwick to hold an Antique Tractor Parade on Saturday, May 12, 2018. Line up will be 9:15 a.m. by the Warwick Country Club. Step off time is 10 a.m. Parade route begins at Warwick Country Club, down Oakland Avenue, down Main Street, right onto Colonial Avenue, right onto Forester Avenue, ending at the A. W. Buckbee Center. Proof of proper insurance has been received.

**Final Comments from the Board  
Executive Session, if applicable  
Adjournment**

77 Main Street  
Post Office Box 369  
Warwick, New York 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

**VILLAGE OF WARWICK**  
INCORPORATED 1867

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Village Board of the Village of Warwick will hold a public hearing on the 1<sup>st</sup> day of May, 2018, at 7:30 o'clock p.m., at Village Hall, 77 Main Street, Warwick, New York 10990, on a proposed Local Law No. 1 of the Year 2018 entitled: "A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-c".

The local law proposes to override the limit on the amount of real property taxes that may be levied by the Village and to allow the Village Board to adopt a budget for the 2018-2019 fiscal year that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c

A copy of the proposed local law is on file in the office of the Village Clerk and available for inspection by interested persons during Village Clerk's business hours.

The Village Board will at the above date, time and place hear all persons interested in the subject matter hereof. Persons may appear in person or by agent. All written communications addressed to the Board must be received by the Board at or prior to the public hearing.

BY ORDER OF THE VILLAGE BOARD  
VILLAGE OF WARWICK  
RAINA ABRAMSON  
VILLAGE CLERK

Dated: April 17, 2018

## VILLAGE OF WARWICK

### LOCAL LAW NO. \_\_ OF THE YEAR 2018

A local law to override the tax levy limit established in General Municipal Law §3-c.

#### Section 1. Purpose:

The purpose of this Local Law is to override the limit on the amount of real property taxes that may be levied by the Village of Warwick pursuant to General Municipal Law §3-c, and to allow the Village Board to adopt a budget for the 2018-2019 fiscal year that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.

#### Section 2. Authority:

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Village Board to override the tax levy limit by the adoption of a local law approved by vote of at least sixty (60%) percent of the Village Board.

#### Section 3. Tax Levy Limit Override

The Village Board of the Village of Warwick, County of Orange, is hereby authorized to adopt a budget for the 2018-2019 fiscal year that requires a real property tax levy in excess of the amount otherwise prescribed in General municipal Law §3-c.

#### Section 4. Severability:

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances, and the Village Board of the Village of Warwick hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

#### Section 5. Effective Date:

This local law shall be deemed effective upon the date of enactment, publication, posting and filing in the office of the Secretary of State in Albany.

77 Main Street  
Post Office Box 369  
Warwick, New York 10990  
www.villageofwarwick.org



(845) 986-2031  
FAX (845) 986-6884  
mayor@villageofwarwick.org  
clerk@villageofwarwick.org

**VILLAGE OF WARWICK**  
INCORPORATED 1867

**LEGAL NOTICE**

**PLEASE TAKE NOTICE THAT THE PUBLIC HEARING ON THE TENTATIVE BUDGET OF THE VILLAGE OF WARWICK** for the fiscal year beginning June 1, 2018 will be held on Tuesday, May 1, 2018 at 7:30 p.m. in Village Hall, 77 Main Street, Warwick, NY or as soon thereafter as the matter may be heard, at which time and place all interested persons will be given an opportunity to be heard. Copies of the Tentative Budget will be available for review at the Village Clerk's Office and on the Village's website, [www.villageofwarwick.org](http://www.villageofwarwick.org) beginning April 25, 2018.

The compensation proposed to be paid to each member of the Village Board is as follows:

Mayor	\$ 43,841.83
Deputy Mayor	\$ 7,960.87
Trustees	\$ 7,314.03 (each)

**BY ORDER OF THE BOARD OF TRUSTEES  
VILLAGE OF WARWICK  
RAINA ABRAMSON, VILLAGE CLERK**

**Dated: April 18, 2018**



# Young / Sommer LLC

JEFFREY S. BAKER  
DAVID C. BRENNAN  
JOSEPH F. CASTIGLIONE  
JAMES A. MUSCATO II  
J. MICHAEL NAUGHTON  
ROBERT A. PANASCI  
ALLYSON M. PHILLIPS  
DEAN S. SOMMER  
KEVIN M. YOUNG

LAURA K. BOMYEA  
E. HYDE CLARKE  
JESSICA ANSERT KLAMI  
KRISTINA M. MAGNE  
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COUNSELORS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

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PARALEGALS  
ALLYSSA T. MOODY  
AMY S. YOUNG

Writer's Telephone Extension: 258  
[solson@youngsommer.com](mailto:solson@youngsommer.com)

**Via Certified Mail, Return Receipt Requested**  
To Attached Distribution List

Re: Notice of Application for Proposed Telecommunications Facility  
39 Transport Lane, Town of Warwick, New York  
Tax Map Parcel No. 3-2-2.222

Ladies and Gentlemen:

This notice is provided pursuant to Town of Warwick Zoning Law § 164-81(C).

View Wireless Infrastructure Fund, LP (View Wireless") proposes the construction of an unmanned public utility/personal wireless service facility (the "communications facility") at the above-referenced property n/f owned by Pine Island Warehouse (the "premises"). Pursuant to the Town of Warwick Zoning Law §164-77(A)(4), this proposal requires a Special Use Permit from the Town of Warwick Planning Board.

Orange County-Poughkeepsie Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") proposes to install and operate twelve (12) panel antennas mounted at an antenna centerline of 155± ft. on a proposed 160 ft. tower (164' with 4' lightning rod), certain equipment located on a 12± ft. x 16± ft equipment platform; coaxial cables connecting the antennas to the equipment; one GPS unit and associated cabling; and all related ground equipment and utility services (power and telephone/fiberoptic services).

**RECEIVED**

APR 23 2018

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

The proposal does not include marking and/or lighting of the tower.

The proposed communications facility will be unmanned, and will be visited for routine maintenance purposes approximately 1 – 3 times per year, as needed. As such, this project will not have any impact on existing water and sewage services. In addition, neither pedestrian nor vehicular access will be significantly impacted.

The tower will be designed to accommodate future collocators.

A copy of the Application Package will be available for public inspection at the Town of Warwick. Questions concerning this proposed facility can also be directed to the Applicant's representative, Scott P. Olson, Esq., who can be reached at (518) 438-9907 or [solson@youngsommer.com](mailto:solson@youngsommer.com).

Very truly yours,

A handwritten signature in black ink that reads "Scott Olson". The signature is fluid and cursive, with the first name "Scott" and last name "Olson" clearly legible.

Scott P. Olson, Esq.

Enclosure

Vernon Township  
Vernon Township Clerk  
21 Church St  
Vernon NJ 07462

West Milford Township  
West Milford Township Clerk  
1480 Union Valley Rd  
West Milford NJ 07480

Town of Minisink  
Town Clerk  
20 Roy Smith Dr  
Westtown NY 10998

Town of Wawayanda  
Town Clerk  
80 Ridgebury Hill Rd  
Slate Hill NY 10973

Village of Warwick  
Village Clerk  
77 Main St  
PO Box 369  
Warwick NY 10990

Village of Florida  
Village Clerk  
33 South Main St  
PO Box 505  
Florida NY 10921

Town of Goshen  
Town Clerk  
41 Webster Ave 1st floor  
PO Box 217  
Goshen NY 10924

Town of Chester  
Town Clerk  
786 Kings Hwy  
Chester NY 10918

Village of Greenwood Lake  
Village Clerk  
18 Church St  
PO Box 7  
Greenwood Lake NY 10925

Town of Monroe  
Town Clerk  
1465 Orange Tnpk  
Lower Level  
Monroe NY 10950

Town of Tuxedo  
Town Clerk  
1 Temple Dr  
Tuxedo NY 10987

# PINSKY

LAW GROUP, PLLC

5789 Widewaters Pkwy  
Syracuse, New York 13214  
(315) 428-8345  
(315) 475-8230 (fax)

Bradley M. Pinsky, Esq.  
David B. Garwood, Esq.

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Nicole C. Pinsky, Paralegal  
Natasha N. Falter, Assistant

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April 16, 2018

Village of Warwick  
Attn: Mayor Michael J. Newhard  
77 Main Street  
Warwick, New York 10990

Dear Mayor Newhard:

This law firm represents the Warwick Fire District ("Fire District"). As you may have learned, the Fire District proposes to demolish a fire station and construct a new fire station on property located at 132 South Street Ext., Warwick, New York 10990. Although we have not yet requested that the Department of Environmental Conservation declare the Fire District to be lead agency for purposes of SEQR, we intend to do that shortly. We are making this request for governmental immunity prior to seeking the declaration of lead agency status at the request of the Planning Board's attorney.

As you may know, fire districts, being autonomous political subdivisions of the State, are likely exempt from municipal zoning regulations. The exemption is not absolute, however, and requires the applicable municipality, here the Village of Warwick, to perform an analysis of several factors. In making a determination as to whether the actions of governmental units are "exempt" from local zoning regulations, the New York Court of Appeals in the 1988 case of *Matter of County of Monroe v City of Rochester*, 72 N.Y.2d 338, 533 N.Y.S.2d 702, established a "balancing of public interests" test utilizing 9 factors. We point you also to *Volunteer Fire Assn. of Tappan, Inc. v. Town of Orangetown*, 54 A.D.3d 850, 863 N.Y.S.2d 502 (2<sup>nd</sup> Dept. 2008) wherein a Town correctly recognized that a fire district and its fire company are exempt from the Town's zoning laws, though not its Planning Board.

We ask that the Village of Warwick perform this analysis as quickly as possible in order to determine that the Warwick Fire District is in fact exempt from the village's zoning regulations.

Those factors involve the following:

1. the nature and scope of the instrumentality seeking immunity;
2. the encroaching government's legislative grant of authority;
3. the kind of function or land use involved;
4. the effect local land use regulation would have upon the enterprise concerned;
5. alternative locations for the facility in less restrictive zoning areas;
6. the impact upon legitimate local interests;
7. alternative methods of providing the proposed improvement;
8. the extent of the public interest to be served by the improvements; and
9. intergovernmental participation in the project development process and an opportunity to be heard.

A trial court in Suffolk County has stated with regard to a similar issue involving a Fire District and its training building:

Fire Districts are established for the purpose of providing fire protection and responding to certain other types of emergencies (*see*, TL § 176[1], [22]; General Municipal Law § 209, 209-b; Volunteer Firefighters' Benefit Law §5[1]; 1992 Opns St Comp No. 92-41). A fire district established by the town board under Town Law § 170 is a political subdivision of the State of New York and members of the local fire department within the district are employees of the fire district (Town Law § 174; *Nanuet Fire Engine Co. No.1 v Amster*, 177 Misc. 2d 296, 298, 676 N.Y.S.2d 890 [1998]). Further, pursuant to Town Law § 176(14) real property required by a fire district for any purpose authorized by the article is "deemed to be required for public use." Training of the volunteer firemen is an activity within the functions of a fire district and funds may be expended for training which "will contribute to the efficiency and skills of the volunteer firemen" (Opinion of the State Comp. 81-1 17; Town Law § 176 [9][21]; *see also*, 1993 Opns St Comp No. 93-24 which supports expenditures for training of firemen while excluding those for 'competitive sporting events'). Therefore, the Court finds that the classification of the burn building as a municipal building was a rational decision. Moreover, the Town is granted great deference in construing its own ordinances and a reviewing Court may not substitute its own judgment for that of the Town Board where, as here, it is supported by statute and opinion (*see. P.M.S. Assets, Ltd. v. Zoning Bd. of Appeals*, 98 N.Y.2d 683, 774 N.E.2d 204, 746 N.Y.S.2d 440 [2002]; *Retail Prop. Trust v. Bd. of Zoning Appeals*, 98 N.Y.2d 190, 774 N.E.2d 727, 746 N.Y.S.2d 662 [2002]; *Ifrac v. Utschig*, 98 N.Y.2d 304, 774 N.E.2d 732, 746 N.Y.S.2d 667 [2002]).

*Manglaviti v. Kozakiewicz*, *Affd 6 A.D.3d 716, 775 N.Y.S.2d 545 (2<sup>nd</sup> Dept. 2004)*.

We also note that a court has already stated, with regard to a similar facility but for a private ambulance company (as opposed to the absolutely governmental Fire District):

Even if an ambulance facility weren't a permitted use, it would appear that under the balance of interests test adopted in *Matter of County of Monroe*, 72 N.Y.2d 338, 530

N.E.2d 202, 533 N.Y.S.2d 702, the ambulance facility is a greater public interest as opposed to proprietary and should be exempt from the Village's zoning ordinance. (*See, Westhab, Inc. v. Village of Elmsford*, 151 Misc2d 1071, 574 N.Y.S.2d 888). Accordingly, Petitioners' claim that the proposed use violates the local zoning laws is without merit. (*See, Miller v. Incorporated Village of East Hills*, 41 Misc2d 525, 245 N.Y.S.2d 718; *Hewlett v. Town of Hempstead*, 3 Misc2d 945, 133 N.Y.S.2d 690, *aff'd*, 1 A.D.2d 954, 150 N.Y.S.2d 922, *app. denied*, 1 N.Y.2d 643).

*Corrini v. Village of Scarsdale*, 1 Misc. 3d 907(A), 781 N.Y.S.2d 623.

With regard to these factors:

1. The Warwick Fire District seeks immunity. The Fire District is a political subdivision of the state of New York (Town Law §174). The Fire District seeks immunity from village zoning regulations. The District plans to demolish an existing fire station which is no longer adequate for Fire District purposes and construct a new fire station on property located at 132 South Street Ext., Warwick, New York. There has been a fire station on this property for many years.

2. The Fire District is created pursuant to state law and has most of the powers of any municipality. The Department of Environmental Conservation, in determining that Fire Districts are appropriate as the Lead Agency on similar projects, recognized that:

“The Fire District, as sponsor, designer, construction overseer and the agency principally funding the proposed action, possesses through design and financing control a substantial ability to add, modify or even eliminate project elements.”

3. The land is presently utilized as a fire station for the Fire District. The planned use is the same plus some other public functions, including fire company activities and the availability of a public gathering room. The planned use is again for a strictly municipal purpose, presumably designated commercial. The land is currently used solely for a public purpose to house a portion of the Fire District's firefighters and most importantly, garage space for emergency vehicles. That use will continue.

4/5. We do not believe that local land use regulations would benefit the public as they could potentially prohibit the Fire District from providing its emergency vehicle apparatus from being housed in this key location within the Fire District. Other locations are not feasible for this fire station, as is demonstrated by its existence in this residential area for so many years. Personnel respond to this fire station to board the vehicles required for such emergency. The vehicles which need to be stored in the proposed building cannot be moved elsewhere in the Fire District, as personnel would be confused as to where they should respond and response times would increase. Additionally, the existence of the railroad line and the delays it can cause require the continued existence of a station in the current location. In short, the fire vehicles need to be located in multiple places within the Fire District.

6/8. There will be no negative impact upon the village's interests. The building has existed for decades for the same primary purpose of housing fire apparatus. However, there would be a significantly negative impact upon the Fire District if the District were potentially prohibited due to zoning regulations from operating a sufficiently sized new building for its present purposes and identical future purposes (housing future fire apparatus).

There will be positive impacts on the public's interest. Additionally, and importantly, is that the new building will be accessible by those with disabilities and ADA compliant whereas the present building is not. Presently, those who are physically disabled are impeded from accessing the building due to tight spaces inside. A new building would permit greater attendance of individuals with physical disabilities. The new building has a larger meeting and gathering room which will allow greater participation at events by members of the public.

In addition to the building being ADA compliant, the site will be ADA accessible. The site will also have safer traffic flow, proper parking aisles and spaces and better lighting. The building will have safer egress, the addition of a sprinkler system, better security and efficient systems to comply with the latest NYS energy codes. All these serve the public health, safety and welfare.

7. The Fire District has no other methods to house the additional fire emergency vehicles in any proximity to the presently located station. If the Fire District were forced to move its operations to a facility on newly acquired property, it would have to do so at a significant additional cost to the taxpayers.

8. The public will be greatly served by this fire station. The present building is cramped and not easily accessible to the physically disabled. The public will also be served by continuing to have emergency vehicles housed in this area of the community and to have the vehicles housed south of the railroad line.

9. With regard to intergovernmental participation in the project development process and an opportunity to be heard, the Fire District is willing to participate in the Site Plan review process. The Fire District is willing to consult regarding lessening the visual impacts of the project. We can offer a courtesy visit for the chance for the Village to participate and be heard. This non-binding chance for the Village to participate is sufficient to weigh this factor in favor of the Fire District.

For the above reasons, the Warwick Fire District should be exempt from the Village of Warwick's zoning regulations. Please let me know if you have any questions.

Very truly yours,



PINSKY LAW GROUP, PLLC  
David B. Garwood

James R. Loeb  
Richard J. Drake, *retired*  
Glen L. Heller\*  
Marianna R. Kennedy  
Gary J. Gogerty  
Stephen J. Gaba  
Adam L. Rodd  
Dominic Cordisco  
Timothy P. McElduff, Jr.  
Ralph L. Puglielle, Jr.  
Nicholas A. Pascale

Lisa M. Card  
Alana R. Bartley  
Aaron C. Fitch  
Emily R. Grandolfo  
Judith A. Waye

Jennifer L. Schneider  
Managing Attorney

\*LL.M. in Taxation

April 20, 2018

ATTN: DAVID B. GARWOOD, ESQ.,  
Pinsky Law Group, PLLC  
5789 Widewaters Pkwy  
Syracuse, New York 13214

Re: Warwick Fire District – New Fire Station  
Our Matter ID: 14562-68970


Dear Mr. Garwood:

This office represents the Village of Warwick. We are in receipt of your letter dated April 16, 2018 regarding SEQRA review and land use approvals for the proposed new fire station at 132 South Street Ext., Warwick, New York. I am writing in regard to your request for the Village Board to make a determination of governmental immunity under the County of Monroe balancing test.

Please have the Fire District or its consultants provide a copy of the SEQRA EAF and the construction and demolition plans to the Village Clerk so that the Village Board can consider the nature and scope of the project in order to make the said determination and otherwise proceed on this matter. Thank you.

If you have any questions or comments feel free to contact me.

Very truly yours,



STEPHEN J. GABA

SJG/ev/646837  
cc: Village Board





Steven M. Neuhaus  
County Executive

ORANGE COUNTY  
DEPARTMENT OF PUBLIC WORKS

Erik Denega, P.E., P.M.P.  
Commissioner

P.O. Box 509, 2455-2459 Route 17M  
Goshen, New York 10924-0509

[www.orangecountygov.com](http://www.orangecountygov.com)

TEL (845) 291-2750

FAX (845) 291-2778

ROAD CLOSING NOTICE

HOWE STREET BRIDGE  
AT HOWE STREET & RIVER STREET  
VILLAGE OF WARWICK  
COUNTY OF ORANGE

RECEIVED

APR 19 2018

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

The undersigned Commissioner of Public Works of the County of Orange does hereby close all that portion of Howe Street in the Village of Warwick, Orange County, New York. **BEGINNING** at a point approximately 120 feet south of the intersection of Howe Street, Factory Street and Van Buren Street, said point of beginning also being immediately north of the existing bridge and runs **THENCE** in a southerly direction along Howe Street approximately 100 feet (0.02 miles) to a point on the southerly side of the bridge, for the purpose of allowing the Orange County Department of Public Works, its agents or contractors, to excavate, repair, pave and do all such work as required in connection with the "Rehabilitation of Howe Street Bridge" on said Village Road. Said closing being effective by the conspicuous posting of "Road Closed" signs on or about April 23, 2018.

Said village road will be closed to all through traffic for a period of approximately Sixty (60) days in accordance with the provisions of Section 104 of the Highway Law. Appropriate traffic control devices, in accordance with the provisions of the National Manual of Uniform Traffic Control Devices (MUTCD), and the New York State Supplement, will be in place and detour routes will be prominently marked. In the case of inclement weather or other unforeseen problems, this period of time may be extended as needed.

Normal through traffic using this portion of Howe Street should use alternate routes or signed detour routing that will utilize West Street, N.Y.S. Route 17A, Campbell Road and Hamilton Avenue.

DATED: April 12, 2018

Erik Denega, P.E., P.M.P.  
COMMISSIONER

**Detour Directions for Howe Street Bridge, Village of Warwick:**

**Traveling south on N.Y.S. Route 17A:**

1. At the intersection of N.Y.S. Route 17A and West Street, continue straight on Route 17A and proceed south for approximately 0.4 miles to the intersection of Campbell Road
2. Turn right onto Campbell Road and proceed westerly for approximately 0.2 miles (Campbell Road becomes Hamilton Avenue)
3. Bear right onto Hamilton Avenue and proceed north for approximately 0.1 miles to the intersection of Orchard Street
4. Turn left onto Orchard Street and proceed westerly for approximately 0.1 miles to the intersection of River Street.

(End of Detour)

**Traveling north on N.Y.S. Route 17A:**

1. At the intersection of N.Y.S. Route 17A and Campbell Road, turn left onto Campbell Road and proceed westerly for approximately 0.2 miles (Campbell Road becomes Hamilton Avenue)
2. Bear right onto Hamilton Avenue and proceed north for approximately 0.1 miles to the intersection of Orchard Street
3. Turn left onto Orchard Street and proceed westerly for approximately 0.1 miles to the intersection of River Street.

(End of Detour)

**Traveling east on West Street:**

1. At the intersection of West Street and Howe Street continue straight on West Street for approximately 0.3 miles to the intersection of West Street and N.Y.S. Route 17A
2. Turn right onto N.Y.S. Route 17A and proceed south for approximately 0.4 miles to the intersection of Campbell Road
3. Turn right onto Campbell Road and proceed westerly for approximately 0.2 miles (Campbell Road becomes Hamilton Avenue)
4. Bear right onto Hamilton Avenue and proceed north for approximately 0.1 miles to the intersection of Orchard Street
5. Turn left onto Orchard Street and proceed westerly for approximately 0.1 miles to the intersection of River Street.

(End of Detour)

**Detour Directions for Howe Street Bridge, Village of Warwick:**

**Traveling east on River Street:**

1. Continue onto Orchard Street and proceed easterly for approximately 0.1 miles to the intersection of Hamilton Avenue
2. Turn right onto Hamilton Avenue and proceed south for approximately 0.1 miles (Hamilton Avenue becomes Campbell Road)
3. Bear left onto Campbell Road and proceed easterly for approximately 0.2 miles to the intersection of N.Y.S. Route 17A
4. Turn left onto N.Y.S. Route 17A and proceed north for approximately 0.4 miles to the intersection of West Street
5. Turn left onto West Street and proceed westerly for approximately 0.3 miles to the intersection of Howe Street.

(End of Detour)



April 25, 2018

Village of Warwick Trustees  
77 Main Street  
Warwick, NY 10990

Dear Board of Trustees,

Thank you for affording me the opportunity to present at your meeting on April 16, 2018 to speak about St. Anthony Community Hospital's interest in working with the Village and the Orange County Health Department on the designated "Warwick Walks" village walking path. After that meeting, I was asked to write this letter to more fully explain the points I touched upon that evening.

St. Anthony Community Hospital is required by the federal government to provide community benefit and health improvement services to the community we serve. As part of the hospital's community health improvement plan, reducing obesity and obesity related chronic conditions is one of our priorities. Health research has shown that walkable communities positively affect the obesity level of populations and so, I met with Mayor Newhard and Danielle Moser from the Health Dept. to talk about partnering to create a designated walking route within the village. The proposed route was identified and then the three of us, along with Mike Moser, walked the route.

As you are most likely aware, St. Anthony is part of the Bon Secours Charity Health System which also includes Bon Secours Community Hospital in Port Jervis and Good Samaritan Hospital in Suffern. Both of those other hospitals have already worked with the City of Port Jervis and the Village of Suffern on similar walking routes which have been successfully utilized for several years now. As in our other 2 hospitals, St. Anthony would like to use the walking route to help our discharged patients maintain and improve their physical activity levels. Our Physical Therapy department has proposed hosting guided walks once or twice each week as weather conditions allow. With regards to those guided walks, I am working with Eileen Patterson and the hospital's Risk Management department to provide insurance to cover the village in the event of any accidents that may occur during one of the hospital guided walks.

I have asked Mary Collura to work on creating a logo, rack card, and signage graphics to help the community become aware of the Warwick Walks route. I know she has worked diligently with the village ARB on the designs and the hospital is grateful to Mary and the ARB for their leadership in this area.

With your approval to create the walking route, St. Anthony will be honored to host a ribbon cutting event in May to promote and officially launch the Warwick Walks program. Again, thank you for the opportunity to work with you and to help create such a wonderful enhancement to our lovely village.

Very truly yours,

Barbara Demundo

Director, Community Engagement, Bon Secours Charity Health System

**RECEIVED**

APR 25 2018

VILLAGE OF WARWICK

VILLAGE CLERKS OFFICE



**DEPARTMENT OF HEALTH**  
**COMMUNITY HEALTH OUTREACH**  
**130 Broadway, Newburgh, NY 12550**  
**Phone: (845) 360-6680/Fax: (845) 565-5279**  
**www.orangecountygov.com**

Steven M. Neuhaus  
County Executive

Jennifer L. Roman, D.O.  
Acting Commissioner of Health

April 24, 2018

Mayor Michael J. Newhard  
Village of Warwick  
P.O. Box 369  
Warwick, NY 10990

Mayor Newhard,

I am pleased to write this letter of support for the collaboration of the Village of Warwick, Bon Secours Hospital System and the Orange County Department of Health on your Warwick Walks initiative. As part of the Department of Health's Community Health Improvement Plan, we consistently support Complete Streets and walkable community initiatives. Creating a walkable community encourages physical activity and provides the opportunity for communities to choose more active ways to get around. Residents are more likely to walk in a neighborhood with sidewalks and designated walking paths. Physical activity can greatly reduce the incidence of chronic disease and inactivity is a contributing factor to a number of diseases including cardiovascular disease, diabetes, stroke and obesity. OCDOH strongly encourages anyone who can do so, to move more.

Orange County Department of Health's Healthy Orange Initiative focuses on promoting health in Orange County communities, with a focus on good nutrition, physical activity, and reduction in tobacco use. The mission of Healthy Orange is to promote a healthy lifestyle for children and families in Orange County through education, communication, collaboration, advocacy, and policy change. As part of its mission to increase physical activity opportunities for Orange County residents, Orange County Department of Health works with interested communities on policy, systems, and environmental changes to give residents increased access to free or reduced cost physical activity. Through our Healthy Orange program, OCDOH will welcome the opportunity to provide guidance, training and programming tools regarding the benefits of walking and physical activity and the promotion of Complete Streets.

We have enjoyed a collaborative working relationship with your municipality. The cooperative activities of local agencies are needed when addressing the health issues confronting Orange County residents. We appreciate your willingness to ensure your residents a walkable community. OCDOH Healthy Orange will continue to work with this collaborative team to engage Warwick Village residents and to make physical activity opportunities more accessible. Healthy Orange would like to always ensure the healthy choice is the easy choice.

If you have any questions or concerns, please don't hesitate to contact Danielle Moser, Sr. Public Health Educator, at (845) 360-6680.

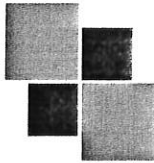
Sincerely,

Robert J. Deitrich  
Director  
Community Health Outreach

**RECEIVED**

APR 25 2018

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE



LEHMAN & GETZ  
CONSULTING ENGINEERS

April 25, 2018

Village of Warwick Board of Trustees  
77 Main Street  
Warwick, NY 10990

Att: Mayor Michael Newhard

Re: Homestead Generator Project  
L&G #1800.82

Dear Mayor Newhard and Trustees:

On April 3, 2018 the Village of Warwick issued a Request for Bids for a Generator for the Homestead pump station. Five contractors were invited to submit a bid on the project:

Gentech LTD  
Gensis Generators, LLC  
Valentine Electric, Inc.  
National Standby Repair, Inc.  
EM Electric Contractors, LLC

Bids were opened at Village Hall on April 12, 2018. Two contractors submitted bids, as summarized below:

Gentech LTD	\$14,889.00
Gensis Generators LLC	\$15,111.00

Shortly after opening the bids it was determined that neither bid included a Service Entrance rated Transfer Switch. On April 12, 2018 our office asked the two bidders to provide a price for a Service Rated Transfer Switch. The two contractors submitted revised bids including a Service Rated Transfer Switch as summarized below:

Gentech LTD	\$18,389.00
Gensis Generators LLC	\$18,486.00

**RECEIVED**

APR 25 2018

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

The low bidder for the project was Gentech LTD, with a bid amount of \$18,389.00. Currently Gentech LTD is under contract with the Village of Warwick to work on the existing generators the Village has. We feel comfortable with recommending they be hired to provide the Generator and Transfer Switch.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Valentine", with a long horizontal flourish extending to the right.

Lehman & Getz, P.C., Village Engineers  
Jeremy Valentine

WARWICK MERCHANTS GUILD  
P.O. BOX 1197  
WARWICK, NEW YORK 10990

April 12, 2018

Mayor Michael Newhard and  
Village Board Trustees  
77 Main Street  
Warwick, New York 10990

Re: Sidewalk Sale

Dear Mayor Newhard and Village Trustees:

The Warwick Valley Merchants Guild is holding their annual Sidewalk Sale on Saturday, July 7 between the hours of 10:00am to 5:00pm and Sunday, July 8, 2018 10:00am to 3:00pm.

The Guild would like to request the Boards permission for the following use:

- 1) The use of 25 parking spaces in total on Saturday, July 7 10:00am to 5:00pm and Sunday, July 8 from 10:00am to 3:00 pm:

- 5 parking spaces in front of Style Counsel
- 5 parking spaces in front of Frazzleberries
- 5 parking spaces in front of Newhard's
- 5 parking spaces in front of Forever Jewelers
- 5 parking spaces in front of Etched in Time

- 2) Closing of Railroad Ave. on Saturday, July 8 from 10:00am to 5:00pm and Sunday, July 9, 10:00am to 3:00pm.

Thank you for your time and consideration in this matter.

Corrine Iurato, Chairman  
Sidewalk Sale

RECEIVED

APR 20 2018

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE



WARWICK MERCHANTS GUILD  
P.O. BOX 1197  
WARWICK, NEW YORK 10990

April 12, 2018

Mayor Michael Newhard and  
Village Board Trustees  
77 Main Street  
Warwick, New York 10990

Re: Ladies Night Out

Dear Mayor Newhard and Village Trustees:

The Warwick Valley Merchants Guild is holding their annual Ladies Night Out on Thursday August 23<sup>rd</sup> from 3pm – 9pm. The Guild would like to request the Boards permission for the following use:

- 1) The use of 25 parking spaces in total on Thursday August 23<sup>rd</sup> from 3pm – 9pm:
  - 5 parking spaces in front of Style Counsel
  - 5 parking spaces in front of Frazzleberries
  - 5 parking spaces in front of Newhard's
  - 5 parking spaces in front of Forever Jewelers
  - 5 parking spaces in front of Etched in Time
- 2) Closing of Railroad Ave. on Thursday August 23<sup>rd</sup> from 12pm – 10pm.
- 3) The use of Railroad Green for the day for various uses such as special performances and a DJ.

Thank you for your time and consideration in this matter.

Corrine Iurato, Chairman  
Ladies Night Out

**RECEIVED**

APR 20 2018

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

VILLAGE OF WARWICK  
FACILITY USE REQUEST

Today's Date 4/12/18 Date(s) Requested: 8/23/18

Time of Event: 3pm-9pm

Village Park/Facility Requested: Railroad Green

\*\*\*\*Please use attached map to indicated areas to be used\*\*\*\*

**Information about Group/Organization:**

Name of Organization or individual: Warwick merchant guild

Check One:  Non-Profit  501(c)3  For Profit  Private Event

Proof of Residency: \_\_\_\_\_ Designated Contact: Corinne Turato

Mailing Address: 79 Laudaten Way

Telephone: (Day) 845 986 9463 (Evening) \_\_\_\_\_ (Cell) 845 239 0142

**Information about intended use of Village Facilities:**

Purpose of Use: DJ playing music, special performances by various groups

Total Participants Expected:  Adults  Children

How will the event be advertised? yes - paper - internet

Is Village equipment required?  Yes  No

If needed, state type and for what purpose: electricity

Village of Warwick Participants:  Non-Resident Participants:

Is an admission fee charged?  Yes  No

If so, what will proceeds be used for: \_\_\_\_\_

Will food be served? NO Will food be sold? NO

Please give details: only at restaurants

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the Village for the use and care of the facilities. He/she, on behalf of Warwick merchant guild (name organization) does hereby covenant and agree to defend, indemnify and hold harmless the Village from and against any and all liability, loss, damages, claims, or actions (including costs and attorneys' fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of Village's property, facilities and/or services by Warwick merchants guild (name organization).

Corinne Turato  
Signature of Organization's Representative (must be a Village of Warwick Resident)

Address: 79 Laudaten way Telephone: 845-239-0142

\$100 sec. deposit

+

insurance Rec.

(RA)

RECEIVED

APR 20 2018

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

# WARWICK WALKS



## YOUR PATH TO HEALTH STARTS HERE

Warwick Walks is a 1 ½ mile walking loop designed to enhance the health and vibrancy of our community. Created by a partnership between the Village of Warwick, St. Anthony Community Hospital, and the Orange County Health Department, this scenic loop winds its way through downtown Warwick; encouraging both residents and visitors to take a healthy stroll through our charming village.

### FOR YOUR SAFETY BE ALERT

WARWICK WALKS IS IN AN HISTORIC DISTRICT, PLEASE WATCH OUT FOR SIDEWALKS

THIS IS A BUSINESS DISTRICT PLEASE BE AWARE OF TRAFFIC USE CROSSWALKS AND OBEY ALL SIGNALS

PLEASE WEAR EXERCISE APPROPRIATE CLOTHING AND SHOES

PUBLIC RESTROOMS ARE LOCATED AT:  
VILLAGE HALL (8:30-4PM, M-F)  
PORT-O-JOHN ON SOUTH ST.  
STANLEY-DEMING PARK (SEASONAL)

**IN THE CASE OF EMERGENCY:  
CALL 911**



# Map Showing Placement of Signs



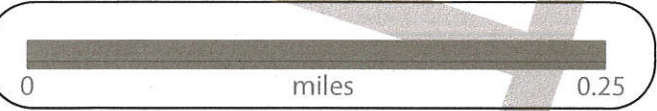
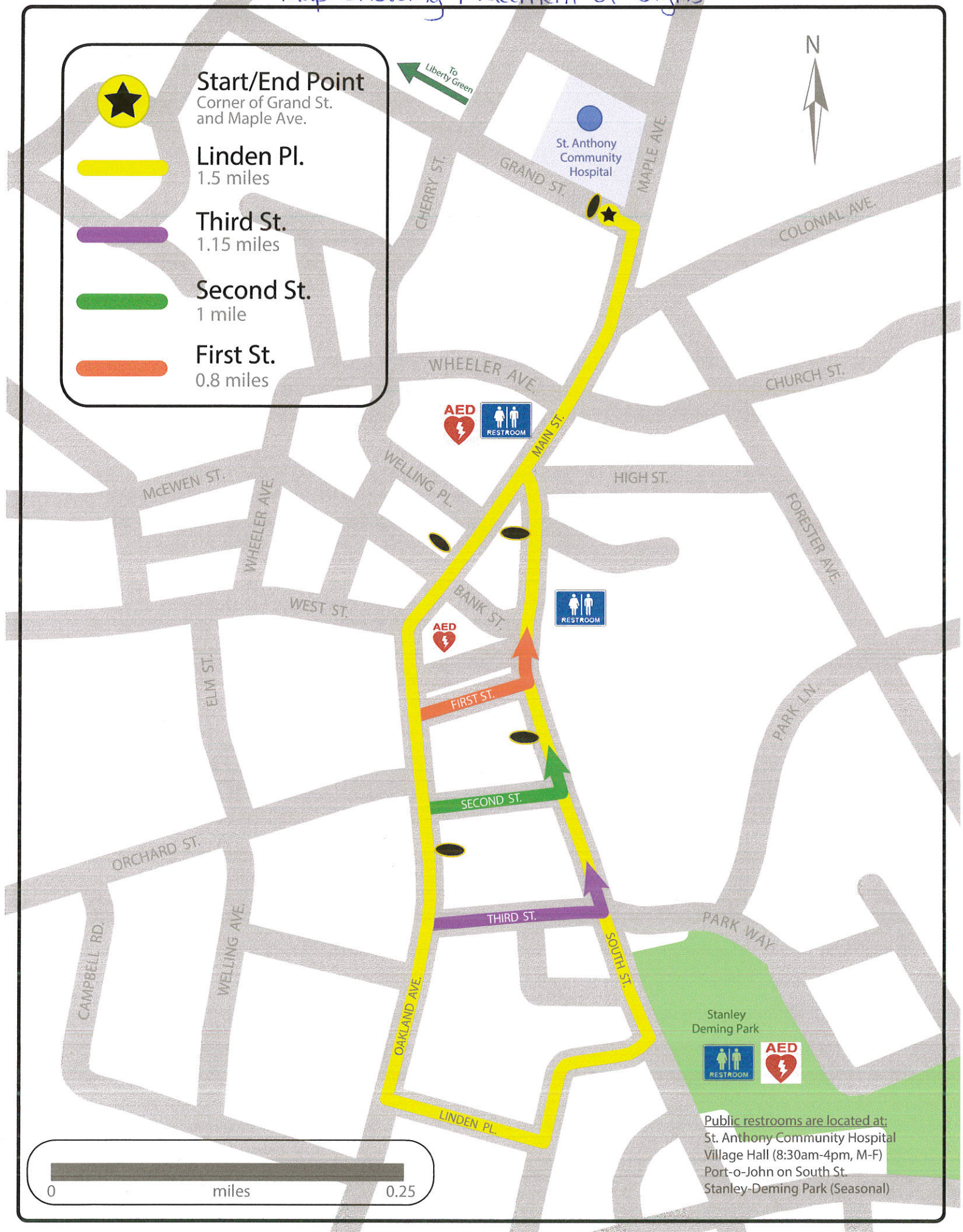
**Start/End Point**  
 Corner of Grand St. and Maple Ave.

**Linden Pl.**  
 1.5 miles

**Third St.**  
 1.15 miles

**Second St.**  
 1 mile

**First St.**  
 0.8 miles



Public restrooms are located at:  
 St. Anthony Community Hospital  
 Village Hall (8:30am-4pm, M-F)  
 Port-o-John on South St.  
 Stanley-Deming Park (Seasonal)

# WARWICK FIRE DEPARTMENT

CHIEF – PHIL CIALELLA  
pcialella@gmail.com

1<sup>ST</sup> ASSIST. CHIEF – DANIEL SCHWEIKART  
engine3dan@yahoo.com

2<sup>ND</sup> ASSIST. CHIEF – MICHAEL CONTAXIS  
wfd634c@yahoo.com

SAFETY OFFICER – CHRIS DIMARCO  
biggums151@yahoo.com



PRESIDENT – MELISSA STEVENS  
meliss\_stevens@yahoo.com

VICE PRESIDENT - ROBIN KITTNER  
granada99@gmail.com

SECRETARY – DEB SCHWEIKART  
debs@warwick.net

TREASURER – BILL LINDBERG  
lindberg652@gmail.com

April 12, 2018

Board of Trustees Village of Warwick  
P.O. Box 369  
Warwick, New York 10990

Reference: Warwick Fire Department Coin Toss

Dear Board Members

The Warwick Fire Department would like to ask if we could have our Annual Coin Toss on June 9<sup>th</sup> & 10<sup>th</sup> and September 8<sup>th</sup> & 9<sup>th</sup>, 2018 between the hours of 10am and 2pm on Oakland Avenue?

Please feel free to contact me with any questions.

Thank you.

*Melissa Stevens*

Melissa Stevens  
President  
Ph: 845-742-0886  
Email: grover80@warwick.net



## The Historical Society of the Town of Warwick

2 Colonial Ave., PO Box 353, Warwick, NY 10990  
845-986-3236~admin@whsny.org~www.whsny.org

April 25, 2018

Mayor Michael Newhard  
Warwick Village Hall  
77 Main Street  
Warwick, NY 10990

Mayor Newhard,

The Warwick Historical Society will be hosting an Agriculture Exhibit this Spring at the Hasbrouck Barn and A.W. Buckbee Center.

The exhibit opens Saturday, May 12. We would like to respectfully request permission to hold an Antique Tractor Parade to kick off the event. Please see parade details below.

Date: Saturday, May 12

Line Up Time: 9:15am

Step off Time: 10:00am

Line Up Location: Oakland Avenue near Warwick Country Club

Parade Route: Begin at Warwick Country Club  
Proceed down Oakland Avenue  
Proceed down Main Street  
Right onto Colonial Avenue  
Right onto Forester Avenue  
End at A.W. Buckbee Center, 2 Colonial Avenue

**RECEIVED**

APR 25 2018

VILLAGE OF WARWICK  
VILLAGE CLERKS OFFICE

To preserve and celebrate the history of the Town of Warwick and its people and engaging our communities through a variety of programs aimed at developing an understanding and appreciation of our unique historic heritage.

Number of Vehicles: Approximately 24

If you have any questions please do not hesitate to contact me at 845-986-3236, ext. 106.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa-Ann Weisbrod". The signature is fluid and cursive, with a large initial "L" and "W".

Lisa-Ann Weisbrod

Executive Director